



STATE BOARD OF OPTOMETRY

NEWSLETTER

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Letter From the President



As the public member on the Missouri State Board of Optometry, it is my role to view our work through the lens of the consumer. I rely on the expertise of the optometrists on the Board to provide direction on the technical aspects of the practice of optometry, especially in our deliberations of quality of care and scope of practice questions and complaints. But at each

meeting, I have seen the members of the Board and staff demonstrate a shared commitment to consumer protection that has made my job easy. Working with such conscientious, respectful people has made it a pleasure and a privilege to serve this body as president.

Every Board president wants to serve at a time when the Board implements a significant reduction in the biennial renewal fee and though I can't take credit for it, I'm happy to report the good news. Effective June 30, the renewal fee was decreased from \$220 to \$150. By statute, the Board has the authority to set the amount of fees at a level to produce revenue which shall not substantially exceed the cost and expense of administering the optometry practice act. The renewal fee was last changed in 1996, when it was raised from \$75 to \$110 annually. Due to increased revenue and very moderate spending over the past several years, the fee is being decreased back to its 1996 level. Licensees will pay \$150 at the time of renewal, for a two-year renewal period.

This new fee was implemented prior to the current renewal cycle for the two-year period November 1, 2006 through October 30, 2008. Currently licensed optometrists should have already received their renewal applications by mail. On-line renewal is a new option available this year. Please confirm that the address on this newsletter is your current mailing address. If your address has changed, be sure to notify the Board -- a change of address form is included with this newsletter. As a reminder, optometrists are obligated to notify the Board of any change of address(es) at which s/he is practicing within thirty (30) days. Also remember that continuing education hours should have been completed by August 31. Look for a refresher on the mandatory continuing education requirements in this newsletter.

Finally, let me mention one important issue recently passed by the Board: a proposal to reactivate criminal background checks on all new applicants for licensure. Since December 30, 2002, there has been no requirement for new applicants to be fingerprinted for criminal background checks. It is my understanding that the fingerprinting requirement was eliminated because of the extensive processing time and small number of incidences where the criminal history background check revealed something that the applicant did not include on his/her licensure application. In recent years, the State of Missouri has reduced the time it takes to process fingerprint background checks to five (5) business days, which has prompted a discussion about reinstating the requirement for new applicants only. Missouri is among several states considering the background check requirement as a supplement to the licensure application.

If you have any questions about background checks, renewals, or anything else you read about, please let us know. Our staff will be happy to assist you.

Sincerely,
Dayna M. Stock

P.S. At its July meeting, the Board held its annual election of officers. Dr. Christy Fowler is the newly elected President of the Board.

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Governor

The Honorable Matt Blunt

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Professional Registration**

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Division of Professional Registration

This is an official publication of the Division of Professional Registration. Submit articles to: State Board of Optometry, P.O. Box 1335, Jefferson City, MO 65102.

Medical Records Release Law

Section 191.227, RSMo, requires optometrists, upon written request of a patient, or guardian or legally authorized representative of a patient, to furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request. The law requires the record to be furnished "within a reasonable time" of the receipt of the request. Optometrists may condition the furnishing of the record to the patient, guardian, or legally authorized representative of the patient upon payment of a fee for:

- (1) Copying, in an amount not more than *(\$17.05) seventeen dollars and five cents plus *(\$.40) forty cents per page for the cost of supplies and labor;
- (2) Postage, to include packaging and delivery cost; and
- (3) Notary fee, not to exceed (\$2) two dollars, if requested.

* These fees are subject to change. See adjusted fees below.

Optometrists may also charge for the reasonable cost of all duplications of health care record material which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

Effective February first of each year, the fees listed above shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. The annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The Department of Health and Senior Services must report the annual adjustment and the adjusted fees authorized on the Department's Internet website. The website address is: <http://www.dhss.mo.gov/ProtectingThePublic/FeesMedicalRecords.html>. As of February 1, 2006, the new rate for handling is *\$17.77 and the rate for copies is *\$0.42 per page.

MESSAGE FROM DIVISION DIRECTOR



My sincere appreciation to Governor Blunt for having appointed me the Director of the Division of Professional Registration beginning July 2. It is certainly a pleasure to serve in this position.

For the last 14+ years I owned and operated my own business in Jefferson City. Prior to that, I spent 17 ½ years in state government; in the Governor's Office, State Auditor's Office, and the Department of Agriculture.

As you probably know, the Governor issued Executive Order 06-04 on February 1, 2006, that created the Department of Insurance, Financial Institutions and Professional Registration. By a Type III transfer our division became a part of this new department on August 28. A type III transfer is the transfer of a department, division, agency, board, commission, unit, or program to the new department with only such supervision by the head of the department for budgeting and reporting. The Division of Professional Registration was previously a division within the Department of Economic Development.

I am most grateful to the Division's and Boards' staff for the support, advice, and counsel they have given me. This is truly a great group of people.

I look forward to working with all my associates in Professional Registration and continuing the excellent service the entire division has given the approximately 400,000 Missourians who are licensed and regulated and who represent 240 different trades and professions.

Please feel free to contact me if I can be of assistance to you. I look forward to working with you in the years to come.

Sincerely,
David Broeker
Division Director

Next Board Meeting

The next meeting of the Missouri State Board of Optometry is scheduled on Thursday, February 9, 2007. The meeting will be held in Kansas City, Missouri.

The Board meets three times a year, generally in February, July, and October. For information regarding meeting locations or agenda items, please feel free to contact the Board's Central Office as it gets closer to the meeting date, or visit our web site at <http://pr.mo.gov/optometrists.asp>.

CONTACT WITH BOARD MEMBERS

The Missouri State Board of Optometry has six (6) members. Their responsibility is to regulate the practice of optometry in Missouri.

When Board members are contacted directly by an interested party regarding an application for licensure, a complaint, investigation, or disciplinary process, any information given to that Board member could sway his or her unbiased opinion. A Board member receiving communication that could sway his or her opinion may be required to recuse and not take part in a vote on the matter. This not only puts the licensee at a disadvantage, but this puts the Board member in an awkward position while trying to do his or her job.

Due to these concerns, it is strongly encouraged and recommended that all correspondence concerning issues of a licensee, or an applicant for licensure, be sent directly to the Board office. Phone calls are to be directed to the Board office. Board staff handle the day-to-day functions of the Board. If they are unable to help you with your concern, the staff will research the matter or advise you of the steps that need to be taken.

Please keep in mind that individual Board members are not authorized to make a decision for the entire Board.

BNDD REQUIRES NOTIFICATION OF CHANGE OF PRACTICE LOCATION

There were seven (7) new items of business on the Board's July closed agenda regarding letters of concern issued to licensed optometrists from the Bureau of Narcotics and Dangerous Drugs (BNDD) for not notifying BNDD of a change in practice location.

There were five (5) new cases reviewed at the Board's February 2006 meeting. Not notifying BNDD of a change of practice location may not seem to be that big of a problem, but if a licensed optometrist is going to conduct any activities with controlled substances, he or she must have a valid registration from the BNDD and the federal Drug Enforcement Administration (DEA). The BNDD registration is valid for the specific address which appears on the registration. If an optometrist has a BNDD registration and changes to a different practice location that registration terminates in thirty (30)

days if BNDD is not notified of the change. Any prescriptions written for controlled substances or any other controlled substance activities conducted without a valid BNDD registration are a violation of Missouri controlled substance laws as well as federal controlled substance laws. Any violation of state or federal drug laws, rules or regulations is a cause for disciplinary action against your optometry license, regardless of any actions taken by the BNDD.

The State Board of Optometry encourages licensees to carefully review Missouri drug laws, rules and regulations to ensure compliance. For more information regarding Missouri drug laws, rules and regulations, visit the BNDD website at: www.dhss.mo.gov/BNDD or call the BNDD at 573-751-6321. Information regarding federal drug laws can be found at the DEA website at: www.deadiversion.usdoj.gov.

RULE CHANGES

Effective June 30, 2006, the Board's rule on License Renewal was amended. The Board added educational meetings of the National Optometric Association (NOA) to the approved list of continuing education providers. Additionally, the Board added two items that will count for continuing education credit.

Licensees who present at a Council on Optometry Practitioner Education (COPE) approved continuing education course will be allowed one (1) hour of continuing education credit for each hour of the continuing education presented. Each COPE numbered course may be used one time for continuing education credit during the reporting period.

Licensees who are enrolled in a post-graduate residency program accredited by the Council on Optometric Education will receive eight (8) hours of continuing education credit to satisfy one (1) year of the two (2)-year reporting period.

As mentioned in the President's letter, the fee rule was amended on June 30, 2006 to reduce the biennial renewal fee to \$150. Also included in the amendment to the fee rule was a change to the application fee for new applicants. The license fee was combined with the application fee making that fee \$225 and the license fee was eliminated. Waiting for the licensure fee to come in will often cause a delay in the issuance of a new license and we are anticipating that this change will speed up the process by a few days.

CONTINUING EDUCATION

With renewal in process, the Board thought that this would be a good opportunity to remind licensees of the continuing education requirements in order to renew before October 30, 2006. Eight (8) hours of approved continuing education must be earned during the time period of September 1, 2004 through August 31, 2005, and eight (8) hours of approved continuing education must be earned during the time period of September 1, 2005 through August 31, 2006, for a total of sixteen (16) hours during the two-year reporting period. If licensees earned his/her hours in the first year of the reporting period after August 31, 2005 but before December 31, 2005, a \$50 continuing education penalty fee is required with the renewal fee. An additional \$50 continuing education penalty fee is required with the renewal fee if the eight (8) hours for the second year of the reporting period are earned after August 31, 2006 but before December 31, 2006. To avoid any problems, please be completely honest when answering questions on your renewal application. If a licensee does not earn the mandatory continuing education hours in either or both years of the reporting period, or during the grace period

(September 1 through December 31), inform the Board of that fact and explain your situation. The Board may be able to assist you with either an extension of time to earn the hours or waive the hours if there is a valid reason.

For new licensees, your situation regarding continuing education may be different. If newly licensed by examination, passage of the NBEO Part III examination will satisfy the continuing education requirements for one year of the reporting period. For example, if the examination was taken in April of 2005 and the license was issued before October 30, 2005, the licensee does not need additional continuing education for the reporting period of September 1, 2004 through August 31, 2005 (the first year of the reporting period). If the examination was taken in April of 2006 and the license was issued before October 30, 2006, the licensee does not need additional continuing education for the reporting period of September 1, 2005 through August 31, 2006. Any new license issued on or before October 30, 2006, must be renewed.

Congratulations!

Optometrists Licensed for Fifty Years

The Missouri State Board of Optometry takes this opportunity to recognize those optometrists that have been licensed in this state for fifty (50) years or longer. The Board is proud of the many accomplishments of these optometrists and the wealth of knowledge and skills they have achieved during the past five decades. We salute their lifetime dedication to serving the eye care needs of their respective communities.

LICENSEE

Isidore C. Barrale, O.D.
Thomas W. Bell, O.D.
Hillard F. Blankenship, O.D.
James M. Booker, O.D.
Earl R. Cordry, O.D.
James L. Cunningham, O.D.
James A. DeClue, O.D.
William D. Dellande, O.D.
Charles F. Ernst, O.D.
Frank D. Fontana, O.D.
Irving D. Fudenberg, O.D.
William E. Garstang, O.D.
Marvin L. Gernstein, O.D.
Melvyn J. Hakan, O.D.
Julius Hartstein, O.D.
Clemens H. Jacques, O.D.
Donald E. Jenks, O.D.
Ronald J. Knox, O.D.
Joseph R. Lane, O.D.
John D. McWay, O.D.
Richard F. Phipps, O.D.
James E. Rudd, O.D.
Russell C. Saphian, O.D.
Ira E. Spencer, O.D.
Austin Tashma, O.D.
John J. Turley, O.D.
Richard C. White, O.D.
Glade F. Whitworth, O.D.

DATE OF LICENSURE

November 20, 1951
November 7, 1949
April 1, 1948
August 20, 1950
April 5, 1954
July 1, 1956
April 15, 1949
November 18, 1949
November 11, 1950
November 14, 1949
September 27, 1950
February 18, 1952
December 4, 1955
February 5, 1947
August 4, 1954
November 14, 1949
April 20, 1954
July 1, 1956
April 17, 1950
November 26, 1948
December 1, 1955
June 1, 1953
June 30, 1956
May 11, 1951
August 27, 1953
April 20, 1954
January 22, 1951
September 1, 1953

**Moving? Please notify the board office
of your new address.**

Name: _____
Profession: _____
License Number: _____
Old Address: _____

New Address: _____
(P.O. Box must be
accompanied by your
physical address) _____
Signature: _____
Date: _____

Mail to:

State Board of Optometry
3605 Missouri Boulevard, P.O. Box 1335
Jefferson City, MO 65102

OE Tracker

The Association of Regulatory Boards of Optometry (ARBO) has implemented a new program, the OE (Optometric Education) Tracker. This new program is designed to track and document continuing education of all licensed optometrists. ARBO issued a complimentary OE Tracker card to all licensed optometrists last December which contains individual identifying information. The Board encourages all optometrists to carry this card when attending approved continuing education programs. Many continuing education providers participate in the OE Tracker program and have the ability to scan the optometrist's personal OE Tracker card and electronically report attendance using ARBO's new website to the OE Tracker database. Additionally, the Board has purchased a scanner that can be loaned out to smaller continuing education providers to be used for this purpose and the Board, with the use of the scanner, has the ability to transmit continuing education attendance to the OE Tracker database. The Board will be able to eliminate some of the continuing education audits by using this new program and the number of paper audits is expected to decrease as the program continues to grow. If you have lost or misplaced your OE Tracker card, replacement cards will be available for a \$25 fee. Please contact ARBO in writing at 1750 S. Brentwood Blvd., Suite 503, St. Louis, MO 63144-1341, by telephone at (314) 785-6000, or by e-mail at arbo@arbo.org.

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